

STANDARD CRIMINAL 6

VOLUNTARINESS OF DEFENDANT'S STATEMENTS

You must not consider any statements made by the defendant to a law enforcement officer unless you determine beyond a reasonable doubt that the defendant made the statements voluntarily.

A defendant's statement was not voluntary if it resulted from the defendant's will being overcome by a law enforcement officer's use of any sort of violence, coercion, or threats, or by any direct or implied promise, however slight.

You must give such weight to the defendant's statement as you feel it deserves under all the circumstances.

SOURCE: RAJI (Criminal) No. 6 (1996); A.R.S. §13-3988 (statutory language as of October 1, 1978); *State v. Williams*, 136 Ariz. 52, 56, 664 P.2d 202, 206 (1983); *State v. McVay*, 127 Ariz. 18, 20, 617 P.2d 1134, 1136 (1980); *State v. Brooks*, 127 Ariz. 130, 138, 618 P.2d 624, 632 (App. 1980).
